

HellerEhrman LLP

275 Middlefield Road
Menlo Park, CA 94025-3506
Main +1.650.324.7000
Fax +1.650.324.0638

Facsimile Transmittal

RECEIVED
CENTRAL FAX CENTER

JAN 16 2007

To: BPAI Hearings Fax; USPTO Central Fax No
Telephone: 571-272-9797 **Fax:** 571-273-0299
571-273-8300

From: Daphne Reddy
Telephone: 650 324 7037
Direct Fax: 650 324 6009

No. of Pages: 4 (including cover)
Date: January 16, 2007

Message:

Re: Appeal for: Appeal No. 2007-0177
U.S. Application No. 09/902,634
Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES
AND NUCLEIC ACIDS ENCODING THE SAME
Filed: July 10, 2001
Inventors: Avi ASHKENAZI et al.
Attorney Docket No. 39780-1618 P2C30

Attached is a **Request to Withdraw an Appeal**, and to expressly abandon the above-identified application. Also enclosed is the **Notice of Hearing** with confirmation as required.

Please let me know if you need any further information or assistance in this matter.

Yours truly,



Panpan Gao
on behalf of Daphne Reddy

SV 2255233 v1
1/16/07 3:31 PM (39780.1618)

The information contained in this communication is intended only for the use of the addressee and may be confidential, may be attorney-client privileged and may constitute inside information. Unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error or you have not received all pages, please call the sender immediately at +1.650.324.7000.

Heller Ehrman LLP www.hellerhrman.com

JAN 16 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------------|---|--|
| In re application of: |) | Examiner: Chernyshev, Olga |
| |) | |
| Avi ASHKENAZI, et al. |) | Art Unit: 1649 |
| |) | |
| Application Serial No. 09/902,634 |) | Confirmation No: 1375 |
| |) | |
| Filed: July 10, 2001 |) | Attorney's Docket No. 39780-1618 P2C30 |
| |) | |
| For: SECRETED AND |) | Customer No. 35489 |
| TRANSMEMBRANE |) | |
| POLYPEPTIDES AND NUCLEIC |) | |
| ACIDS ENCODING THE SAME |) | |

VIA FACSIMILE
DATE: JANUARY 16, 2007

ON APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
REQUEST TO WITHDRAW APPEAL BY APPELLANTS

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

On August 29, 2005, the Examiner made a Final Rejection to pending Claims 39-43. A Notice of Appeal was filed on November 29, 2005, and Appellants' Appeal Brief was filed on March 1, 2006. A revised Appeal Brief was filed May 30, 2006. An Examiner's Answer was mailed on June 19, 2006, and an Appellants' Reply Brief was filed on August 21, 2006.

Appellants hereby request that the appeal be withdrawn, and that the above-identified application be expressly withdrawn as of the filing date of this paper.

-1-

Request to Withdraw Appeal
Application Serial No. 09/902,634
Attorney's Docket No. 39780-1618P2C30

I am the attorney or agent of record.

Respectfully submitted,

Date: January 16, 2007

By: 

Panpan Gao (Reg. No. 43,626)

on behalf of Daphne Reddy (Reg. No. 53,507)

HELLER EHRMAN LLP

275 Middlefield Road

Menlo Park, California 94025-3506

Telephone: (650) 324-7000

Facsimile: (650) 324-0638

SV 2256249 v1
1/16/07 3:29 PM (39780,1618)

-2-

Request to Withdraw Appeal
Application Serial No. 09/902,634
Attorney's Docket No. 39780-1618P2C30